

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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|-------------------------------|---|--------------|
| AETNA INC. et al., | : | CIVIL ACTION |
| Plaintiff, | : | |
| | : | |
| v. | : | No. 07-05541 |
| | : | |
| EXPRESS SCRIPTS, INC. et al., | : | |
| Defendant. | : | |
| | : | |

ORDER

AND NOW, this 16th day of September, 2009, upon consideration of “Defendants’ Motion for Sanctions to Preclude Plaintiffs’ Proposed Expert Robert J. DeLuca From Testifying In This Case And To Preclude Plaintiffs From Using Robert J. DeLuca’s Third Proposed Expert Report Inappropriately Attached To His Deposition Errata” (doc. no. 134), “Defendants’ Motion to Exclude Plaintiffs’ Expert Robert J. DeLuca, With Supporting Memorandum Of Law And Proposed Order” (doc. no. 146), Plaintiffs’ responses thereto, and after oral argument, it is hereby **ORDERED** that Defendants’ motions are **DENIED**.

BY THE COURT:

/s/ Mitchell S. Goldberg

MITCHELL S. GOLDBERG, J.